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**From :** Sanjeev K. Dhand  
**Email Address :** [sdhand@foley.com](mailto:sdhand@foley.com)  
**Sender's Direct Dial :** 858.847.6860  
**Date :** January 31, 2007  
**Client/Matter No :** 023727-1701  
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### MESSAGE:

Re: U.S. Patent Application Number 09/689,001

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1) Notice of Appeal in 3 pages

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Cover Page 1 of 1

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PAGE 1/6 \* RCVD AT 1/31/2007 2:44:05 PM [Eastern Standard Time] \* SVR:USPTO-EFXRF-5/0 \* DNIS:2738300 \* CSID: \* DURATION (mm:ss):01:56

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**JAN 31 2007** Atty. Dkt. No. 023727-1701

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Arnett et al.

Title: SHOCK-RESISTANT AND ENVIRONMENTALLY SEALED CONTAINER

Appl. No.: 09/689,001

Filing Date: 10/12/2000

Examiner: S. Castellano

Art Unit: 3727

Confirmation Number:  
7673

<b>CERTIFICATE OF FACSIMILE TRANSMISSION</b>	
I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below.	
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(Signature)	
1/31/07 (Date of Deposit)	

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner in the Final Office Action dated November 17, 2006, finally rejecting Claims 6-9, 12, 26, 29-31.

Applicant claims small entity status.

Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

Notice of Appeal Fee

02/01/2007 TL0111 00000039 09689001

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[ ]Not required (Fee paid in prior appeal)

The required fees are calculated below:

[ X ]	Notice of Appeal Fee	\$500.00
[ ]	Extension month:	\$0.00
[ ]	Extension:	\$0.00
	FEE TOTAL:	\$500.00
[ X ]	Small Entity Fees Apply (subtract 1/2 of above):	\$250.00
	TOTAL FEE:	\$250.00

A credit card payment form in the amount of \$250.00 is enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by the credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Atty. Dkt. No. 023727-1701

Respectfully submitted,

Date January 30, 2007

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By



Richard J. Warburg  
Attorney for Applicant  
Registration No. 32,327

by

Sanjeev K. Dhand  
Registration No. 51,128

**Credit Card Authorization Confirmation Receipt**

**Client/Matter Number:** 023727-1701  
**Client Name:** UNDERWATER KINETICS, INC.  
**Matter Description:** SHOCK-RESISTANT AND ENVIRONMENTALLY SEALED CONTAINER  
**DenneMeyer ID:** 023727-1701  
**Serial Number/  
Case Information:** United States of America Patent Application 09/689001; SHOCK-RESISTANT AND ENVIRONMENTALLY SEALED CONTAINER; JEFFERY D. ARNETT, MATTHEW P THOMAS, ALAN K UKE  
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